UNITED STATES DISTRICT COURT
FILED
MAY 31 2017
MARY C. LOEWENGUTH, CLERK
WESTERN DISTRICT OF NY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

15-CR-148-A

ARAFAT NAGI,

Defendant.

SPEEDY TRIAL ORDER
(May 30, 2017 through January 17, 2018)

On May 30, 2017, the parties appeared before the Court to set a trial date. Assistant United States Attorneys Timothy C. Lynch and Joel L. Violanti appeared on behalf of the government; the defendant appeared personally and by attorney Jeremy D. Schwartz, Esq. On that date, defense counsel advised the Court that due to the expected length of the trial and the need for time for effective preparation, the defense was requesting a trial date in January 2018. In order for the defendant to maintain continuity of counsel and for defense counsel to have adequate time to prepare for trial, the government moved for an exclusion of Speedy Trial Time under 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

The Court granted the government's motion to exclude Speedy Trial time from and including May 30, 2017, through and including January 17, 2018 as being in the interest of justice and not contrary to the interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

Specifically, and for the reasons set forth above, the Court determines that the defendant's interests in continuity of counsel and having additional time for his counsel to effectively prepare for trial, outweigh the interests of the defendant and the public in a speedy trial.

NOW, it is hereby

ORDERED, for the reasons set forth above, that the trial is set for January 17, 2018; and it is further

ORDERED, that the time in this action from and including May 30, 2017, to and including January 17, 2018, is properly excluded from the time within which trial must commence, in accordance with the Speedy Trial Act, pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

The Court further finds that as of January 17, 2018, zero (0) days of Speedy Trial Act time will have elapsed in this action and seventy (70) days remain in the period within which trial must commence.

DATED: Buffalo, New York, May 31, 2017.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
United States District Judge